

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

PHILLIP GONZALES SANCHEZ,

Petitioner,

v.

DOUG WADDINGTON,

Respondent.

Case No. C06-5019 FDB/KLS

ORDER DENYING
APPLICATION TO PROCEED *IN*
FORMA PAUPERIS

The Magistrate Judge recommended that *in forma pauperis* status be denied Petitioner because he is employed and he has an average spendable balance of \$79.20, sufficient to pay the \$5.00 filing fee. Petitioner objects arguing that the Magistrate Judge's Report and Recommendation prejudiced his good faith application, discusses other bad faith actions of United States and Washington State officials, and concludes by stating that he never entered this case in bad faith. Plaintiff, however, has failed to demonstrate that it is not reasonable to require that he pay the \$5.00 filing fee. Petitioner also filed a "Request for Form Complaint on Judicial Improvements Act of 1990 ...," which has been treated as a motion, and which is denied.

The Court, having reviewed the report and recommendation, petitioner's application to proceed in forma pauperis, Petitioner's Objections, and the remaining record, hereby finds and ORDERS:

- (1) the Magistrate Judge's report and recommendation is approved and adopted;
- (2) petitioner's motion for leave to proceed in forma pauperis is DENIED.
- (3) petitioner shall pay the required filing fee (\$5.00) to the Clerk of the Court within 30 days of the date of this Order, otherwise this action will be dismissed.

1 (4) Petitioner's Request for Form Complaint on Judicial Improvements Act [Dkt. # 9] is
2 DENIED.

3 (5) the Clerk is directed to send copies of this Order to petitioner and any other party that has
4 appeared in this action.

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6 DATED this 20th day of April 2006.

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9 FRANKLIN D. BURGESS
10 UNITED STATES DISTRICT JUDGE
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